THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 24491of 2006

24-11-2006

Between:-

Smt. Kantha Nagpal

Petitioner

And

The Revenue Divisional Officer,

Moinabad Mandal,

Ranga Reddy district and two others.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 24491of 2006

Oral order:

In purported exercise of power under the Andhra Pradesh Assigned Lands (Prohibition of Transfer) Act, 1977 (Act No. 9 of 1977) (for short 'the Act'), the second respondent, in proceedings No. 13/1294/2001 dated 28-02-2002, passed an order finding the petitioner to be in possession of specified extents of land in survey Nos.177/4; 177/5 and 177/27 of Aziznagar village, Moinabad mandal, Ranga Reddy district, in transgression of the provisions of Section 3 (1) of the Act i.e., on unlawful alienation from the original assignee of "assigned land". This order of the second respondent was received by the petitioner on 04-09-2006 (more than four and half years later). Aggrieved thereby, the petitioner preferred an appeal to the first respondent on 11-09-2006 along with an application for interim relief. The petitioner's grievance in this writ petition is that the first respondent has neither disposed of the appeal nor the petitioner's application for interim relief/suspension of the order of the second respondent dated 28-02-2002.

The first respondent is a quasi judicial authority and having regard to the facts and circumstances of the case, the petitioner does face a potential threat of dispossession, in case her application for interim relief is not disposed of early by the first respondent.

In the circumstances, the writ petition is disposed of directing the first respondent to, expeditiously and in any event with a period of seven (7) days from the date of receipt of a copy of this order, consider and dispose of the application for interim relief of the petitioner in the appeal preferred by her on 11-09-2006 against the order of the second respondent bearing reference No.13/1294/2001 dated 28-02-2002. Nothing in this order shall be construed as an expression by this court on the merits of the petitioner's case either in the appeal or in the application for interim relief; and the petitioner's application for interim relief shall be considered by the first respondent on its own merits. No costs.

GODA RAGHURAM, J

Dated: 24-11-2006

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